

Remarks

Applicant has considered the Office Action mailed on January 18, 2006. Claims 1, 4-13 and 15-19 are pending in the present patent application. Of the pending claims, the Examiner rejected claims 1, 4, 8-10, 12, 13, 15, 16 and objected to claims 5-7, 11 and 17-19. In response to the Office Action, Applicant canceled claims 5, 10 and 17 and incorporated the subject matter therefrom into independent claims 1, 8 and 13, respectively, to overcome the 35 USC §103(a) rejection. Also, Applicant amended claims 6, 7, 11, 12, 16 and 18 to recite proper claim dependency. No new matter has been added. Applicant requests further examination and reconsideration of the present patent application.

The Examiner objected to claim 16 for depending from a canceled claim. As amended, claim 16 now depends from claim 13. Accordingly, Applicant requests that the Examiner reconsider and remove the objection to claim 16.

The Examiner rejected claims 11-12 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Applicant amended both claims 11-12 to provide proper antecedent basis for the limitation "said servo-loop circuit". Accordingly, Applicant requests that the Examiner reconsider and remove the §112, second paragraph, rejection of claims 11-12.

The Examiner rejected claims 1, 4, 8-10, 12-13 and 15-16 under 35 USC §103(a) as being unpatentable over Applicant's admitted prior art in view of Barnes et al. (US Patent Application Publication No. 2003/0048698). Applicant respectfully traverses the §103(a) rejection of the present patent application and submits that the claimed invention is patentable over Applicant's admitted prior art in view of Barnes et al. (hereinafter Barnes).

The Examiner submitted that claims 5-7, 11 and 17-19 contain allowable subject matter, but objected to these claims because of their dependency upon a

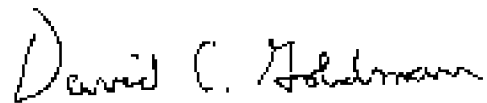
rejected base claim. The Examiner further submitted that these claims would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In order to expedite the prosecution of this patent application and to distinguish over the applied art, Applicant has canceled claims 5, 10 and 17 and rewritten their limitations into independent claims 1, 8 and 13, respectively. Therefore, Applicant submits that independent claims 1, 8 and 13 are patentably distinguishable over Applicant's admitted prior art in view of Barnes. Claims 4; 9, 12; and 15, 16 depend directly or indirectly from now presumably allowable claims 1, 8 and 13, respectively, and are in allowable condition by dependency. Accordingly, Applicant requests that the Examiner reconsider and remove the rejection under 35 U.S.C. § 103(a).

In view of the foregoing amendments and remarks, Applicant requests that the Examiner reconsider this application and allow claims 1, 4, 6, 7, 8, 9, 11, 12, 13, 15, 16, 18 and 19.

Please charge payment of any additional filing fees or credit any overpayment to Deposit Account Number 500999.

If the Examiner has any questions regarding the present patent application, the Examiner can call Applicant's attorney, David C. Goldman, at telephone number (518)-449-0044.

Respectfully submitted,

A handwritten signature in black ink that reads "David C. Goldman". The signature is written in a cursive style with a large, looped initial "D".

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